

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on January 12, 2005 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Joe McKenney, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Bob Bergren (D)
Rep. Tim Dowell (D)
Rep. Kevin T. Furey (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Scott Mendenhall (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Wayne Stahl (R)
Rep. Dan Villa (D)
Rep. Jonathan Windy Boy (D)

Members Excused: Rep. Dave Gallik (D)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 168, 1/7/2005; HB 180, 1/7/2005;
HB 175, 1/7/2005; HB 207, 1/7/2005;
HB 202, 1/7/2005

Executive Action:

HEARING ON HB 168

Opening Statement by Sponsor: REP. ARLENE BECKER (D), HD 52,
opened the hearing on **HB 168**, Revise laws governing insurance
guarantee association.

00:01:48

Proponents' Testimony:

00:04:57 Patrick Driscoll, State Auditor's Office

[EXHIBIT](#) (buh08a010.PDF)

00:06:11 Larry Kibbee, Property Casualty Ins. of America

00:07:12 Mona Jamison, Attorney

00:08:46 Frank Cote, Silver Tip Consulting

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:51 None

Closing by Sponsor:

00:10:04

HEARING ON HB 180

Opening Statement by Sponsor: REP. BOB LAKE (R), HD 88, opened
the hearing on **HB 180**, Revise certain business filing procedures.

Proponents' Testimony:

00:12:37 Mark Simonich, Secretary of State's Office

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:17:56 None

Closing by Sponsor:

00:18:05

HEARING ON HB 175

Opening Statement by Sponsor: REP. JILL COHENOUR (D), HD 78,
opened the hearing on **HB 175**, Allow insurer to withhold court
order restitution for theft of Worker's Compensation benefits.
00:18:59

EXHIBIT (buh08a020.PDF)

Proponents' Testimony:

00:20:29 Matthew Cohen, Montana State Fund

00:24:48 Doug Nulle, Retired Worker's Comp Attorney

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:25:59

Closing by Sponsor:

00:29:26

HEARING ON HB 207

Opening Statement by Sponsor: REP. JOE MCKENNEY (R), HD 18,
opened the hearing on **HB 207**, Revise definition of security for
estate purposes.
00:31:24

Proponents' Testimony:

00:32:35 Neil Severinson, Wells Fargo Bank

00:35:22 Steve Turkiewicz, Montana Bankers Association

00:36:17 Keith Colbo, Independent Bankers

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:37:24

Closing by Sponsor:

00:39:10

HEARING ON HB 202

Opening Statement by Sponsor: REP. ART NOONAN (D), HD 73, opened the hearing on HB 202, Revise payroll processing for terminating employees.

00:40:20

Proponents' Testimony:

00:41:43 Randy Morris, Department of Administration

EXHIBIT(buh08a030.PDF)

Opponents' Testimony:

00:44:55 Darrell Holzer, AFL-CIO

00:47:06 Don Judge, Teamsters Union

Informational Testimony: None

Questions from Committee Members and Responses:

00:49:14

Closing by Sponsor:

01:09:56

EXECUTIVE ACTION ON HB 168

Motion/Vote: REP. GALVIN-HALCRO moved that HB 168 DO PASS.

Motion carried unanimously.

EXECUTIVE ACTION ON HB 207

Motion/Vote: REP. MCKENNEY moved that HB 207 DO PASS. Motion

carried unanimously.

EXECUTIVE ACTION ON HB 145

Motion: REP. DOWELL moved that HB 145 DO PASS.

Discussion:

01:35:04

Vote: Motion failed 1-17 with JOPEK voting aye.

Motion/Vote: REP. MCKENNEY moved that HB 145 BE TABLED AND THE VOTE REVERSED. Motion carried 17-1 with JOPEK voting no.

ADJOURNMENT

Adjournment: 9:40 A.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/KK

EXHIBIT (buh08aad)